

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Case No.: 2:18-cr-0032-APG-GWF

Plaintiff

V.

FELICIA WESLEY,

## Defendant

## **ORDER GRANTING MOTION FOR EARLY TERMINATION OF SUPERVISED RELEASE**

[ECF No. 40]

Defendant Felicia Wesley moves to terminate her supervised release early. ECF No. 40.

The United States Attorney (USAO) opposes and the Probation Office takes no position.

Modification or termination of supervised release is governed by 18 U.S.C. § 3583(e).

Under that statute, I first must consider “the factors set forth in section 3553 (a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7).” Ms. Wesley was convicted of one count of conspiracy to distribute cocaine and was sentenced to 20 months in custody and 36 months of supervised release. Obviously this crime warrants punishment, which was meted out to her.

After examining the section 3553 factors, I may terminate supervised release “if [I am] satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.” 18 U.S.C. § 3583(e)(1). The Judicial Conference’s Guide to Judiciary Policy, Volume 8E, Chapter 3, § 380.10(g) provides that, for an offender who satisfies the minimal statutory factors, at 18 months there is a presumption in favor of early termination if the offender is not a career drug or violent offender, sex offender, or terrorist; presents no identified risk of harm to the public or victims; and is free from any moderate or high-severity violations.

Ms. Wesley satisfies this presumption and the USAO offers nothing to rebut that. She has completed 18 months of supervised release. She is gainfully employed, maintains a stable

1 residence, and is taking classes toward a degree. She receives no services from the Probation  
2 Office and is not being tested for drugs. She has remained in contact with her Probation Officer  
3 and has satisfied all conditions of her supervision. If she is no longer on supervision, it should be  
4 easier for her to obtain an internship toward her certification for drug and alcohol counseling.  
5 ECF No. 40 at 1. That is a goal this court should support. I congratulate Ms. Wesley on her  
6 efforts toward becoming a contributing member of society. I wish her success and good fortune  
7 going forward.

8 The present circumstances justify early termination of supervised release. Therefore, Ms.  
9 Wesley's motion (**ECF No. 40**) is **GRANTED** and her supervised release is terminated  
10 immediately.

11 DATED this 25th day of August, 2021.

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13 ANDREW P. GORDON  
14 UNITED STATES DISTRICT JUDGE  
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